

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION**

**YUNIER NODA HERNANDEZ**

**CASE NO. 6:20-CV-01276 SEC P**

**VERSUS**

**JUDGE ROBERT R. SUMMERHAYS**

**WILLIAM BARR, ET AL**

**MAGISTRATE JUDGE WHITEHURST**

**JUDGMENT**

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, determining that the findings are correct under the applicable law, and noting the absence of objections to the Report and Recommendation in the record;

**IT IS ORDERED, ADJUDGED AND DECREED** that the Motion To Dismiss Pursuant To Federal Rule 12(b)(1) filed by the Government [Rec. Doc. 11], be **GRANTED**, the Petition for Writ of Habeas Corpus be DISMISSED without prejudice and that this proceeding be terminated.

**THUS DONE AND SIGNED**, in chambers, in Lafayette, Louisiana, on this 4th day of March, 2021.

A handwritten signature in black ink, appearing to read 'R. Summerhays', is written over a horizontal line.

**ROBERT R. SUMMERHAYS  
UNITED STATES DISTRICT JUDGE**